



NATIONAL CONGRESS OF AMERICAN INDIANS

The National Congress of American Indians Resolution #PSP-09-048

TITLE: Request that the United States Congress Move to End the Funding Constraints to the BIA funded Tribal Schools, Specifically the Facilities Operations and Maintenance and the Administrative Costs Grants and that these Components be Funded at 100%

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WHEREAS, we, the members of the National Congress of American Indians of the United States, invoking the divine blessing of the Creator upon our efforts and purposes, in order to preserve for ourselves and our descendants the inherent sovereign rights of our Indian nations, rights secured under Indian treaties and agreements with the United States, and all other rights and benefits to which we are entitled under the laws and Constitution of the United States, to enlighten the public toward a better understanding of the Indian people, to preserve Indian cultural values, and otherwise promote the health, safety and welfare of the Indian people, do hereby establish and submit the following resolution; and

WHEREAS, the National Congress of American Indians (NCAI) was established in 1944 and is the oldest and largest national organization of American Indian and Alaska Native tribal governments; and

WHEREAS, the Federal Government is fiscally responsible for two separate School systems, the Dept. of Defense (DOD) and the Bureau of Indian Affairs (BIA), they however are not funded equally. The Federal government is responsible by treaty for 184 Indian schools funded by the BIA. The BIA funds 7,341 educational facility structures in Indian country, which serve more than 60,000 students and 238 federally, recognized Indian tribes located in 23 states; and

WHEREAS, the BIA funded Tribal Schools endure additional fiscal constraints and due to these, there has historically been insufficient federal funding for the Facilities Operations and Maintenance and the Administrative Cost budgets; and

WHEREAS, the funding of each budget category – Facility Operations and Maintenance and the Administrative Cost Grant is calculated by formula, which has not been funded per the same formula, the Schools consequently must continually utilize other funding (ISEP, supplemental grants, transfer maintenance funds to the ever rising operations costs) to cover these shortfalls; and

WHEREAS, within the Facilities component the bulk of the funding will be used to cover ever rising utility (propane, electricity, heating fuel, communications), employee benefits, inflation rate as applied to repair/replacement components of the building systems and other supplies/materials, petroleum products involved with transportation of products and/or persons. Thus the preventive maintenance of these building system will suffer causing a crisis management type of environment; and

WHEREAS, within the Administrative component, these funds are utilized for the Administration of the Education Services, as provided by and agreed to by PL 100-297, such as audits, office operational costs, insurance and attorney fees, segregation duties, administrative oversight, increasing fees due to ever changing OMB regulations, retirement costs, inflation that affects all costs; and

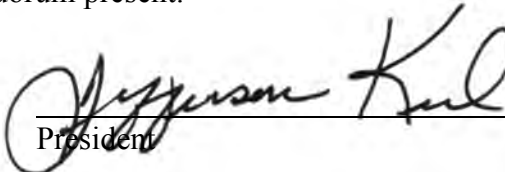
WHEREAS, in the following example, the shortfalls or constraints of funding amounts, imposed since FY 1991, has built to an amount of \$4,198,283 from the Facilities Operations and Maintenance budget and to \$3,992,248 in the Administrative Cost Grant budget at Little Wound School in Kyle, SD, a PL 100-297 Tribal Grant School.

NOW THEREFORE BE IT RESOLVED, that the NCAI does hereby request that the United States Congress move to end the funding constraints to the BIA funded Tribal Schools, specifically the Facilities Operations and Maintenance and the Administrative Costs Grants and that these components be funded at 100%; and

BE IT FURTHER RESOLVED, that this resolution shall be the policy of NCAI until it is withdrawn or modified by subsequent resolution.

CERTIFICATION

The foregoing resolution was adopted by the General Assembly at the 2009 Annual Session of the National Congress of American Indians, held at the Palm Springs Convention Center in Palm Springs, California on October 11-16, 2009, with a quorum present.


President

ATTEST:


Recording Secretary