



NATIONAL CONGRESS OF AMERICAN INDIANS

The National Congress of American Indians Resolution #SAC-06-072

TITLE: To Support the Continuation of Johnson O'Malley Funding

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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, Native American populations have made significant advances in achieving academic success as demonstrated by a study conducted in 2005 by the National Center on Education Statistics; and

WHEREAS, Native American students have attained high school diplomas, as of March 2003, exceed the total of all other racial and ethnic groups by 3.2% except African Americans; and

WHEREAS, the negation of the advancement made by Native American populations through the invalidated references to the effect that the Johnson O'Malley grants under the Tribal Priority Allocations are duplicative of other Federal and state assistance programs and do not address a focused goal for academic achievement; and

WHEREAS, the lack of evidence to prove that the elimination of these grants will allow the BIA to focus its resources on the requirements of the Bureau-funded school system, while also reducing redundancy with other Federal programs; and

WHEREAS, the U.S. House of Representative admonished the Bush Administration in 2006 for justifying its proposed termination of Johnson O'Malley because of duplication of other federally supported programs such as Title VII of No Child Left Behind Act of 2002, hence substantiating that no such duplication exists; and

WHEREAS, the elimination of the Johnson O'Malley programs hold no guarantees that the Indian Self Determination Act of 1975 and will continue to be enforced according to the purpose of the regulations established in Part 273 of Public Law 93-638; and

WHEREAS, Indian Self Determination and Education Assistance Act were set forth to ensure the maximum participation of Indian populations in the development of programs for eligible Indian students; and

WHEREAS, the Snyder Act of 1921 is the primary authority that governs the implementation of Indian education programs; and

WHEREAS, the Johnson O'Malley Act of 1934 program is a supplementary aid program geared to offset the financial deficit of unmet extraordinary and exceptional cases of need and that the federal government will bear the added expense for services to the Indian population in collaboration with state public school districts; and

WHEREAS, the NCAI has passed previous resolutions expressing their strong opposition to cutting or elimination of funding for Johnson O'Malley programs.

NOW THEREFORE BE IT RESOLVED, that the NCAI does hereby strongly oppose the FY 2007 BIA budget request that proposes the elimination of Johnson O'Malley (JOM) grants; and

BE IT FURTHER RESOLVED, that the NCAI call upon Congress and the Administration to restore the national JOM budget to the FY 1994 allocation of \$24 million dollars with the current JOM student count conducted under the Government Accountability Office to reinstate a funding formula that will ensure the equitable distribution of funding to address the specialized and unique educational needs that fall outside the school's responsibilities; and

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

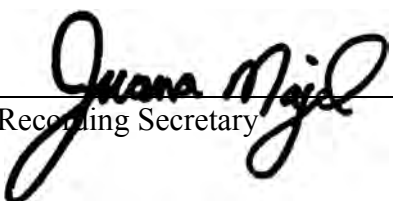
CERTIFICATION

The foregoing resolution was adopted by the General Assembly at the 2006 63rd Annual Session of the National Congress of American Indians, held at the Sacramento Convention Center in Sacramento, California on October 1-6, 2006, with a quorum present.



President

ATTEST:



Recording Secretary